

UNITED SHARE PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office SIGNER OF PATENTS AND TRADEMARKS

NOTICE OF ALLOWANCE AND FEE(S) DUE

22249

07/29/2002

LYON & LYON LLP 633 WEST FIFTH STREET **SUITE 4700** LOS ANGELES, CA 90071

PECEIVED

EXAMINER

WALTON, GEORGE L

ART UNIT

CLASS-SUBCLASS 137-312000

ALIG 1 4 2002

TECHNULUGY CENTER R3700

3753 **DATE MAILED: 07/29/2002**

APPLICATION NO. FILING DATE FIRST NAMED INVENTOR

ATTORNEY DOCKET NO.

CONFIRMATION NO.

09/960,759

09/21/2001

Douglas Frazier

267/089

6488

TITLE OF INVENTION: SPILL CONTAINMENT SYSTEM AND METHOD

APPLN, TYPE	SMALL ENTITY	issue fee	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1280	\$300	\$1580	10/29/2002

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT, PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN <u>THREE MONTHS</u> FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

- I. Review the SMALL ENTITY status shown above. If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:
- A. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
- B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.
- ☐ Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
- II. PART B FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.
- III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

Page 1 of 4

PTOL-85 (REV. 04-02) Approved for use through 01/31/2004.





PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Box ISSUE FEE

Commissioner for Patents

Washington, D.C. 20231

Fax (703)746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks I through 4 should be completed where

indicated unless corrected I	pelow or directed otherwi	se in Block I, by (a) spo	cifying a new co	rrespondence addre	s; and/or (b) indicating a sepa	nate "FEE ADDRESS" for
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LYON & LYON				tormal drawing, m	ust have its own certificate of m	siling or transmission.
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LOS ANGELES, C	:A 90071			United States Posts	ast this Fee(s) Transmittal is al Service with sufficient postage to the Box Issue Fee address ISPTO on the data indicated by	se for first class mail in an
, .				transmitted to the U	I to the Box Issue Fee address JSPTO, on the date indicated be	above, or being facsimile
						(Depositor's name)
						(Signature)
						(Date)
APPLICATION NO.	FILING DATE	FIRS	T NAMED INVEN	TOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,759	09/21/2001		Douglas Frazier		267/089	6488
TITLE OF INVENTION: SI	PILL CONTAINMENT ST	YSTEM AND METHOD	,			
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WALTON, G	EORGE L	3753	137-31200	0		
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CFR 1.363).			the names of u	to 3 registered par	ent attorneys	
☐ Change of corresponde Address form PTO/SB/12	ence address (or Change of 22) attached.	Correspondence	single firm (ha	alternatively, (2) the ving as a member	a registered	
□ "Fee Address" indicati	on (or "Fee Address" India	estion form	attorney or age	nt) and the names	of up to 2	
PTO/SB/47; Rev 03-02 (Number is required.	or more recent) attached. U	Jse of a Customer		t attorneys or agents e will be printed.	3	
3. ASSIGNEE NAME AND	PESIDENCE DATA TO	DE DDINTEN ON THE	PATENT (seint o		·	
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been previously submitted	to the USPTO or is being	submitted under separate	cover. Completio	n of this form is NO	ssignee data is only appropriat T a substitute for filing an assig	oment.
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☐ Advance Order - # of C	'anies	-	-		charge the required fee(s), or o	redit any overnavment, to
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Commissioner for Patents is	requested to apply the las	ue Fee and Publication Fe	ee (if any) or to re	apply any previous	ly paid issue fee to the applicati	on identified above.
(Authorized Signature)		(Deta)				
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NOTE; The Issue Fee an	d Publication Fee (if new	rised) will not be accept	ad from courses			
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This collection of informs obtain or retain a benefit application. Confidentialit	y is governed by 35 U.S.C	THE (and by the USPT)	O to process) an This collection is			
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suggestions for reducing (Patent and Trademark Off NOT SEND FEES OR	ice, U.S. Department of COMPLETED FORM	ommerce, Washington,	D.C. 20231. DO			
Commissioner for Patents,	Washington, DC 20231.		Jane 10:			

TRANSMIT THIS FORM WITH FEE(S)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Tradsmark Office Address: COMMERCHER OF PATENTS AND TRADEMARKS Washington, D.C. 20231 www.uspto.gov

APPLICATION NO	D. FT	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.			
09/960,759	09/960,759 09/21/2001 Douglas Frazier		Douglas Frazier	267/089				
22249	7590	07/29/2002		EXAMIN	ER			
LYON & LY		∵T		WALTON, GE	ORGE L			
SUITE 4700		•		ART UNIT	PAPER NUMBER			
LOS ANGEL	ES, CA 9007	71		3753				
				DATE MAILED: 07/29/2002				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The patent term adjustment to date is 0 days. If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the term adjustment will be 0 days.

If a continued prosecution application (CPA) was filed in the above-identified application, the filing date that determines patent term adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system. (http://pair.uspto.gov)



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARK Washington, D.C. 2021

APPLICATION NO.	FILING	DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/960,759	09/21/2001		Douglas Frazier	267/089	6488
22249	7590	07/29/2002		EXAMINI	er e
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SUITE 4700				ART UNIT	PAPER NUMBER
LOS ANGELES UNITED STAT				3753	
OMILED SIAI	1.0			DATE MAILED: 07/29/2002	

Notice of Fee Increase on October 1, 2002

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after October 1, 2002, then the amount due may be higher than that set forth in the "Notice of Allowance and Fee(s) Due" since there will be an increase in fees effective on October 1, 2002. See Revision of Patent and Trademark Fees for Fiscal Year 2003: Notice of Proposed Rulemaking, 67 Fed. Reg. 30634, 30636 (May 7, 2002). Although a change to the amount of the publication fee is not currently proposed for October 2002, if the issue fee or publication fee is to be paid on or after October 1, 2002, applicant should check the USPTO web site for the current fees before submitting the payment. The USPTO Internet address for the fee schedule is: http://www.uspto.gov/main/howtofees.htm.

If the issue fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due," but not the correct amount in view of the fee increase, a "Notice to Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice to Pay Balance of Issue Fee," if the response to the Notice of Allowance and Fee(s) due form is to be filed on or after October 1, 2002 (or mailed with a certificate of mailing on or after October 1, 2002), the issue fee paid should be the fee that is required at the time the fee is paid. If the issue fee was previously paid, and the response to the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue fee now due, then the difference between the issue fee amount at the time the response is filed and the previously paid issue fee should be paid. See Manual of Patent Examining Procedure, Section 1308.01 (Eighth Edition, August 2001).

Effective October 1, 2002, 37 CFR 1.18 is proposed to be revised to change the patent issue fees as set forth below. As stated above, the final fees may be a different amount, and applicant should check the web site given above when paying the fee.

(a) Issue fee for issuing each original or reissue patent, except a design or plant patent:

By a small entity (Sec. 1.27(a))-\$655.00 By other than a small entity-\$1,310.00

(b) Issue fee for issuing a design patent:

By a small entity (Sec. 1.27(a))-\$235.00 By other than a small entity-\$470.00

(c) Issue fee for issuing a plant patent:

By a small entity (Sec. 1.27(a))-\$315.00 By other than a small entity-\$630.00

Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

Page 4 of 4

PTOL-85 (REV. 04-02) Approved for use through 01/31/2004.

Notice of Allowability

Application No. 09/960,759 Applicant(s)

Art Unit

Examiner

George L. Walton

3753

Frazier



--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308. 1. X This communication is responsive to a terminal disclaimer submitted 6/4/02 and an amendment submitted 6/5/02. 2. The allowed claim(s) is/are 1-61 3. A The drawings filed on Sep 21, 2001 are accepted by the Examiner. 4. Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d). c) None of the: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). *Certified copies not received: 5. Acknowledgement is made of a claim for domestic priority under 35 U.S.C. \$ 119(e) (to a provisional application). (a) Lightharpoonup The translation of the foreign language provisional application has been received. 6. Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 7. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. 8. CORRECTED DRAWINGS must be submitted. (a) Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No. (b) I including changes required by the proposed drawing correction filed . which has been approved by the examiner. (c) including changes required by the attached Examiner's Amendment/Comment or in the Office action of identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson. 9. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Attachment(s) 1 Notice of References Cited (PTO-892) 2 Notice of Informal Patent Application (PTO-152) 3 Notice of Draftsperson's Patent Drawing Review (PTO-948) 4 Interview Summary (PTO-413), Paper No. 5 Dinformation Disclosure Statement(s) (PTO-1449), Paper No(s). 6 and 7 6 Examiner's Amendment/Comment 7 Examiner's Comment Regarding Requirement for Deposit of Biological 8 Examiner's Statement of Reasons for Allowance Material 9 Other GEORGE L. WALTON

PRIMARY EXAMINER ART UNIT 3753

Interview Ourses	09/960,769		Frazier		
Interview Summary	Examiner George L. Wa	iton	Art Unit 3753		
All participants (applicant, applicant's representative, PT	O personnel):				
(1) Mr. David Wang - Atorney	(3)				
(2) Mr. George Walton - Examiner	(4)				
Date of Interview 5/22 & 24/2002, 6/4 & 5/2002	_				
Type: a) ☑ Telephonic b) ☐ Video Conference c) ☐ Personal (copy is given to 1) ☐ applicant					
Exhibit shown or demonstration conducted: d) Yes	e) 🖾 No. If yes, bri	ef description	on:		
Claim(s) discussed: 1, 17, 33, 44, and 55 Identification of prior art discussed: Noner					
Agreement with respect to the claims f) was reached substance of Interview including description of the generally other comments: In view of the interviews changes were proposed and a subplication in condition for allowance. The changes were	ral nature of what was	agreed to if	an agreement in order to prop	erly place this	
amendment submitted on June 5, 2002 and the terminal	diclaimer was submitte	ed on June	4, 2002.		
(A fuller description, if necessary, and a copy of the ame allowable, if available, must be attached. Also, where no available, a summary thereof must be attached.)					
i) It is not necessary for applicant to provide a sep Unless the paragraph above has been checked, THE FOR INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See Malready been filed, APPLICANT IS GIVEN ONE MONTH F SUBSTANCE OF THE INTERVIEW. See Summary of Rec	MAL WRITTEN REPLY MPEP section 713.04). ROM THIS INTERVIEW	TO THE LA If a reply to DATE TO F	ST OFFICE ACT the last Office ILE A STATEM	ION MUST action has ENT OF THE	
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Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.		Examiner's	signature, if re	quired	

Application No.

Applicant(s)

Examiner's signature, if required

FORM PT					ATTY. DOCK/ 267/089	O.	SERIAL NO. 09/960,759	
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EXAMINER	ALLEH CY		.S. P	ATENT DOCUM	IENTS			
EXAMINER INITIAL		DOCUMENT NUMBER	DATE		NAME	CLASS	SUB CLASS	FILING DATE
GW	1.	2,969,863	05/1956	Woldring, E. e	t al.			
1	2.	3,938,666	10/1974	Castleberry, W				
	3.	4,270,661	05/1979	Rosenband, P.				
	4.	4,552,166	11/1985	Chadbourne St	:., et al.		_	
	5.	4,763,796	03/1987	Flum, P.				
	6.	4,790,707	03/1988	Magretta, E. et	al.			
	7.	4,947,888	8/1990	Tanner			<u> </u>	
	8.	5,096,087	3/1992	Thomas				
	9.	5,140,744	8/1992	Miller				
	10.	5,304,434	06/1992	Stone, B.				
	11.	5,316,035	5/1994	Collins, et al.				
	12.	5,490,600	04/1994	Bustos, R.			_	
	13.	5,492,158	2/1996	Haag				
	14.	5,549,178	8/1996	Yuhas				
	15.	5,555,907	9/1996	Philipp				
Gul	16.	5,593,048	03/1995	Johnson, A.				
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	<u> </u>	OTHER DOCUM	MENTS (Inclu	ding Author, Tit	le, Date, Pertinent I	Pages, etc	<u>:</u>)	2 8 2002 GY CENTER
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EXAMINE To be assig	R: gned	George L. Wal	ton	DA	TE CONSIDERED:	1/02	L	MAY
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		to applicant osure Statement – Se	ection 9 PT	O-1449				Page 1 of 2

FORM PT					ATTY. DOC 267/089		SERIAL NO 09/960,759). 	
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Chil	19.	5,975,332	11/1999	Bishop		·		-	
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information Disclosure Statement - Section 9 PTO-1449

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INFORMATION DISCLOSURE STATEMENT

Douglas Frazier	
FILING DATE:	GROUP:
September 21, 2001	3753

			U.S. P	ATENT DO	CUMENTS				
EXAMINER INITIAL		DOCUMENT NUMBER	DATE		NAME	CLASS	SUB CLASS		NG NTE
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		3,140,744	8/25/1992	Miller		424	99		
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	3.	5,160,051	11/1992	Bustos					
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Page 1 of 1

IC-110271.1

Form PTO 948 (Rev. 03/01) U.S. DEPARTMENT OF COMMERCE - Patent and Trademark Office Application No.

Application No. 09(96075)

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

Fig(s) Pencil and non black ink not permitted. Fig(s) Pencil and non black ink not permitted. Fig(s) I full-time as its required. Fig(s) Photographs may not be mousted. 37 CFR 1.84(e) Poor quality (indif-tones). Fig(s) Poor quality (indif-tones). Fig(s) Paper not flexible, strong, white, and durable. Fig(s) Size OF PAPER. 37 CFR 1.84(f): Acceptable too thin). Fig(s) Size OF PAPER. 37 CFR 1.84(f): Acceptable sizes: 21.0 cm by 27.9 cm (8 1/2 x 11 inches) All drawing sheets not the same size. Sheet(s) Drawings sheets not an acceptable size. Fig(s) MARGINS. 37 CFR 1.84(g): Acceptable margins: Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm Size: Al Size Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm Size: Al Size Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm Size: Size: 8 iz x 11 Margins not acceptable. Fig(s) Top (f) Left (U) Right (R) Dottom (B) Views. 37 CFR 1.84(h) REMINDER: Specification may require revision to correspond to drawing changes. Partial views. 37 CFR 1.84(h)(2) Brackets needed to show figure as one entity. Fig(s) Enlarged view not labeled separately or property. Fig(s) Enlarged view not labeled separately or property. Fig(s) Partial views. 37 CFR 1.84(h)(2) Hatching not indicated for sectional portions of an object. Fig(s)	Works do not appear on a horizontal, left-to-tight fashlos when page is either prejight or turned to that the top becomes the right adds, except for graphs. Fig(s) 9. SCALE. 37 CFR 1.84(1) Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) 10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(f) Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) 11. SHADING. 37 CFR 1.84(m) Solid black seres pale. Fig(s) Solid black shading not permitted. Fig(s) Solid black shading not permitted. Fig(s) Shade lines, pale, rough and blarred. Fig(s) 12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p) Numbers and reference characters not plain and legible. Fig(s) Figer legends are poor. Fig(s) Numbers and reference characters not related in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) English siphabet not used. 37 CFR 1.84(p)(2) Figs Numbers, letters and reference characters must be at least 32 cm (1/8 lach) in height. 37 CFR 1.84(p)(3) Fig(s) Lead lines missing. Fig(s) Lead lines cross each other. Fig(s) Lead lines missing. Fig(s) Lead lines missing. Fig(s) NUMBERINO OF VIEWS. 37 CFR 1.84(q) Views not numbered consecutively, and in Arabic numerals, beginning with another 1. Fig(s) 15. NUMBERINO OF VIEWS. 37 CFR 1.84(q) Corrections shading shown not approprises. Fig(s)
Sectional designation should be noted with Anable or Roman numbers. Fig(s)	Solid black shading not used for color contrast. Fig(s)